

REMARKS

This is in Response to the Office Action mailed March 25, 2005. By the present Response, claims 5, 6, 13 to 35 and 40 have been canceled without prejudice. Applicants maintain the right to prosecute the canceled claims in any related application claiming the benefit of priority of the subject application. Accordingly, upon entry of the Response claims 1 to 4, 7 to 12, 36 to 39 and 41 to 47 are pending. Applicants note that claims 1 to 4, 7 to 12, 36 to 39 and 41 to 47 are indicated to be allowable in the Office Action mailed March 25, 2005.

Rejections under 35 U.S.C. §112, first paragraph

The rejection of claims 5, 6 and 40 under 35 U.S.C. §112, first paragraph, as allegedly lacking enablement is respectfully traversed. The rejections have been maintained for the reasons of record.

Applicants maintain that claims 5, 6 and 40 are adequately enabled. Nevertheless, solely in order to further prosecution of the application and without acquiescing to the propriety of the rejection, claims 5, 6 and 40 have been canceled herein without prejudice. Consequently, the rejections under 35 U.S.C. §112, first paragraph, are moot. Accordingly, Applicants respectfully request that the rejection under 35 U.S.C. §112, first paragraph, be withdrawn.

CONCLUSION

In summary, for the reasons set forth herein, Applicants maintain that claims 1 to 4, 7 to 12, 36 to 39 and 41 to 47 clearly and patentably define the invention, and respectfully request the allowance of the claims now pending. If the Examiner would like to discuss any of the issues raised in the Office Action, Applicant's representative can be reached at (858) 509-4065.

Please charge any fees associated with the submission of this paper to Deposit Account Number 502212. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

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CERTIFICATION UNDER 37 C.F.R. §§ 1.8 and/or 1.10*

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I hereby certify that, on the date shown below, this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: September 21, 2005



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* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.